

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|--|---|------------------------------------|
| ROBERT JOSEPH LEONE, | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | CIVIL ACTION NO. 19-CV-5063 |
| | : | |
| NATIONAL RAILROAD | : | |
| PASSENGER CORPORATION, <i>et al.</i>, | : | |
| Defendants. | : | |

ORDER

AND NOW, this **12TH** day of November, 2019, upon consideration of *pro se* Plaintiff Robert Joseph Leone's Motion for Leave to Proceed *In Former Pauperis* (ECF No. 1), Complaint (ECF No. 2), and Motion for Appointment of Attorney (ECF No. 4), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. The Complaint is **DEEMED** filed.
3. The Complaint is **DISMISSED WITHOUT PREJUDICE** for the reasons set forth in the Court's Memorandum.
4. Leone is given leave to file an amended complaint within thirty (30) days of the date of this Order in the event that he can cure the defects noted in the Court's Memorandum by stating plausible claims within the Court's jurisdiction. Any amended complaint shall be a complete document that identifies all of the defendants in the caption in addition to the body, and shall describe in detail the basis for Leone's claims against each defendant in simple, precise, and direct allegations set forth in numbered paragraphs. The amended complaint must include all the claims that Leone seeks to pursue without relying on, or referring to, his initial Complaint and the attached exhibits. His amended complaint may not rely exclusively on attached

documents in order to state a claim. Upon the filing of an amended complaint, the Clerk of Court shall not make service until so **ORDERED** by the Court.

5. The Clerk of Court is **DIRECTED** to provide Leone a blank copy of this Court's current form complaint for a plaintiff filing an employment discrimination lawsuit bearing the civil action number for this case. Leone may use this form to file his amended complaint.

6. Leone's Motion for Appointment of Attorney (ECF No. 4) is **DENIED WITHOUT PREJUDICE** at this time.

7. If Leone fails to file an amended complaint, his case may be dismissed for failure to prosecute without further notice.

BY THE COURT:

/s/ Eduardo C. Robreno

EDUARDO C. ROBRENO, J.